

Dec. 8. 2004 4:45PM Haynes Beffel & Wolfeld LLP

No.5323 P. 1

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Atty Docket: HBES 1000-1

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8
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Sue Bromaghin 12-8-2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Martin MALLINSON

Application No. 10/621,504

Confirmation: 2600

Filed: 17 July 2003

Title: **Device and Method for Signal Processing**

Group Art Unit: 1724

Examiner:

CUSTOMER NO. 49413

POWER OF ATTORNEY BY ASSIGNEE TO EXCLUSION OF INVENTOR
UNDER 37 C.F.R. § 3.71 WITH REVOCATION OF PRIOR POWERS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned ASSIGNEE of the entire interest in the above-identified application for letters patent hereby appoints:

Mark A. Haynes	-	Reg. No. 30,846
Ernest J. Beffel, Jr.	-	Reg. No. 43,489
Warren S. Wolfeld	-	Reg. No. 31,454
James F. Hann	-	Reg. No. 29,119
Bill Kennedy	-	Reg. No. 33,407
Kenta Suzuc	-	Reg. No. 45,145

to prosecute this application and transact all business in the United States Patent and Trademark Office in connection therewith and hereby revokes all prior powers of attorney;

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said appointment to be to the exclusion of the inventors and the inventors' attorneys in accordance with the provisions of 37 C.F.R. §3.71.

The following evidentiary documents establish a chain of title from the original owner to the Assignee:

X a copy of an Assignment attached hereto, which Assignment has been (or is herewith) forwarded to the Patent and Trademark Office for recording.

Pursuant to 37 C.F.R. § 3.73(b) the undersigned Assignee hereby states that evidentiary documents have been reviewed and hereby certifies that, to the best of Assignee's knowledge and belief, title is in the identified ASSIGNEE.

Direct all telephone calls to ERNEST J. BEFFEL, JR., ESQ. at (650) 712-0340.

Address all correspondence to:

Customer Number 49413

HAYNES BEFFEL & WOLFELD LLP
P.O. Box 366
Half Moon Bay, CA 94019
(650) 712-0340 (phone)
(650) 712-0263 (fax)

ESS TECHNOLOGY, INC., Assignee

Dated: 12.8.04

By: James B. Boyd

Name: James B. Boyd

Title: CFO and Senior Vice President

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Docket No: 37213.01000

PATENT

ASSIGNMENT OF APPLICATION FOR PATENT

WHEREAS:

Martin MALLINSON,

(hereinafter referred to as ASSIGNOR, has made a discovery or invention entitled:

DEVICE AND METHOD FOR SIGNAL PROCESSING

☒ for which application for Letters Patent of the United States has been executed on even date herewith.☐ For which application for Letters Patent of the United States has been filed on _____ under Serial No. _____ and _____

WHEREAS:

ESS Technology, Inc., 48401 Fremont Boulevard, Fremont, California 94538

(hereinafter referred to as ASSIGNEE), is desirous of acquiring the entire interest in, to and under said discovery or invention and in, to and under Letters Patent or similar legal protection to be obtained therefor in the United States and in any and all foreign countries.

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:

Be it known that in consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration, ASSIGNOR hereby sells, assigns and transfers to ASSIGNEE, its successors, legal representatives and assigns, the full and exclusive right title and interest in said discovery or invention in the United States and its territorial possessions and in all foreign countries and to all Letters Patent or similar legal protection in the United States and its territorial possessions and in any and all foreign countries to be obtained for said discovery or invention by said application or any continuation, divisional, continuation-in-part, renewal, substitute or reissue thereof or any legal equivalent thereof in a foreign country for the full term or terms for which the same may be granted.

I, SAID ASSIGNOR, hereby authorize and request the Commissioner of Patents and Trademarks of the United States of America and any Official of any country or countries foreign to the United States of America whose duty it is to issue Letters Patent on applications as aforesaid, to issue all such Letters Patents for said discovery or invention to the ASSIGNEE, as assignee of the entire right, title and interest in, to and under the same, for the sole use and behalf of the ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

I, SAID ASSIGNOR, hereby covenant that I have full right to convey the entire right, title and interest herein, sold, assigned, transferred and set over,

AND I, SAID ASSIGNOR hereby further covenant and agree that the ASSIGNEE, its successors, legal representatives, or assigns, may apply for foreign Letters Patent on said discovery or invention and claim the benefits of the International Convention, and that I will, at any time, when called upon to do so by the ASSIGNEE, its successors, legal representatives, or assigns, communicate to the ASSIGNEE, its successors, legal representatives, or assigns, as the case may be, any facts known to me respecting said discovery or inventions, and execute and deliver all lawful papers that may be necessary or desirable to perfect the title to the said discovery or invention, the said applications and the said Letters Patent or disclaimers relating thereto, or divisionals, continuations, continuations-in-part, reissues or refilings of the said application, or any thereof, shall hereafter be desired by the ASSIGNEE, its successors, legal representatives, or assigns, sign all lawful papers, make all rightful oaths, execute and deliver all such disclaimers and all divisional, continuation, continuation-in-part and reissue

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Divio Inc

No.5323 P. 4

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Docket No: 37233.01000

PATENT

applications so desired, and do all lawful acts requisite for the application for such reserves and the procuring thereof and for the filing of such disclaimers and such applications, and generally do everything possible to aid the ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said invention or discovery in all countries, and without further compensation but at the expense of the ASSIGNEE, its successors, legal representatives and assigns.

Martin Mallinson

Martin Mallinson

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this ____ day of _____ 2003.

STATE OF)
COUNTY OF)

On this ____ day of _____, 2003, before me, the undersigned authority, personally appeared to me known and known to me to be the individual who is described in and who executed the foregoing Assignment, and who duly acknowledged to me that he executed the same as his own voluntary act and deed for the uses and purposes therein specified.

Notary Public

NY23 4514230